

EXHIBIT 3

From: Amador, Daniel (DAT) <daniel.amador@sfgov.org>
Sent: Wednesday, March 20, 2024 9:28 PM
To: Eric Fleming; Singh, Rani (SHF); Howard, Tatiana (PDR); Kim, Sujung (PDR); Jory LaTorre; Camacho, Elizabeth (PDR); Gina Guidi
Cc: Gregoratos, Nick (SHF)
Subject: RE: People v. Ying Hop Ng, Court No. 24003587: EM Status

Your Honor:

Thank you for the notification. I will appear in person on behalf of the People.

Sincerely,

Daniel Amador

Pronouns: he/him/his

Managing Attorney

Special Prosecutions Unit

White Collar Crime Division

San Francisco District Attorney's Office

350 Rhode Island St., Ste. 400N, San Francisco, CA 94103

PHONE: (628) 652-4312

daniel.amador@sfgov.org

From: Eric Fleming <EFleming@sftc.org>
Sent: Wednesday, March 20, 2024 5:44 PM
To: Singh, Rani (SHF) <rani.singh@sfgov.org>; Howard, Tatiana (PDR) <tatiana.howard@sfgov.org>; Amador, Daniel (DAT) <daniel.amador@sfgov.org>; Kim, Sujung (PDR) <sujung.kim@sfgov.org>; Jory LaTorre <JLaTorre@sftc.org>; Camacho, Elizabeth (PDR) <elizabeth.camacho@sfgov.org>; Gina Guidi <gguidi@sftc.org>
Cc: Gregoratos, Nick (SHF) <nick.gregoratos@sfgov.org>
Subject: RE: People v. Ying Hop Ng, Court No. 24003587: EM Status

Everyone,

Le'ts meet Friday morning when I am on the bench.

Thank you,

Judge Fleming

From: Singh, Rani (SHF) <rani.singh@sfgov.org>
Sent: Wednesday, March 20, 2024 4:16 PM
To: Howard, Tatiana (PDR) <tatiana.howard@sfgov.org>; Eric Fleming <EFleming@sftc.org>; Amador, Daniel (DAT) <daniel.amador@sfgov.org>; Kim, Sujung (PDR) <sujung.kim@sfgov.org>; Jory LaTorre <JLaTorre@sftc.org>; Camacho, Elizabeth (PDR) <elizabeth.camacho@sfgov.org>; Gina Guidi <gguidi@sftc.org>
Cc: Gregoratos, Nick (SHF) <nick.gregoratos@sfgov.org>
Subject: RE: People v. Ying Hop Ng, Court No. 24003587: EM Status

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I can certainly appear by zoom tomorrow or in person on Friday with notice. Sgt Arnold from CP was also there today as he was unaware we were not meeting so I can have someone from CP if needed for the discussion

Kulvinder Rani Singh
Assistant Chief Legal Counsel
Office of the Sheriff (Paul Miyamoto)
City and County of San Francisco
1 Dr. Carlton Goodlett Place
Room 456 City Hall
San Francisco, CA 94102
(415) 554-7219

Attorney Privileged Confidential Communication: For recipient(s) only

From: Howard, Tatiana (PDR) <tatiana.howard@sfgov.org>
Sent: Wednesday, March 20, 2024 4:12 PM
To: Eric Fleming <efleming@sftc.org>; Amador, Daniel (DAT) <daniel.amador@sfgov.org>; Singh, Rani (SHF) <rani.singh@sfgov.org>; Kim, Sujung (PDR) <sujung.kim@sfgov.org>; Jory LaTorre <JLaTorre@sftc.org>; Camacho, Elizabeth (PDR) <elizabeth.camacho@sfgov.org>; Gina Guidi <gguidi@sftc.org>
Cc: Gregoratos, Nick (SHF) <nick.gregoratos@sfgov.org>
Subject: RE: People v. Ying Hop Ng, Court No. 24003587: EM Status

Good afternoon,

So sorry to pester. I just wanted to remind the court of this matter with the hopes of ensuring that it can be added to calendar tomorrow or Friday.

Thank you so much,

Tatiana Howard

Tatiana Howard
Deputy Public Defender
San Francisco Public Defender's Office
555 7th Street
San Francisco, CA 94103
Main: (415) 553-1671
Dir: (415) 553-7963
Fax: (415) 553-9810

From: Eric Fleming <EFleming@sftc.org>
Sent: Tuesday, March 19, 2024 9:19 PM
To: Amador, Daniel (DAT) <daniel.amador@sfgov.org>; Howard, Tatiana (PDR) <tatiana.howard@sfgov.org>; Singh, Rani (SHF) <rani.singh@sfgov.org>; Kim, Sujung (PDR) <sujung.kim@sfgov.org>; Jory LaTorre <JLaTorre@sftc.org>; Camacho, Elizabeth (PDR) <elizabeth.camacho@sfgov.org>; Gina Guidi <gguidi@sftc.org>
Cc: Gregoratos, Nick (SHF) <nick.gregoratos@sfgov.org>
Subject: RE: People v. Ying Hop Ng, Court No. 24003587: EM Status

This matter is not on calendar yet. I will talk to staff about getting it added for a day this week. I am the duty judge and will not be conferencing on this case tomorrow. Tomorrow I will send everyone an email with how the Court intends to proceed.

Thank you,

Judge Fleming

Sent from [Mail](#) for Windows


From: Amador, Daniel (DAT) <daniel.amador@sfgov.org>

Sent: Tuesday, March 19, 2024 9:10:06 PM

To: Howard, Tatiana (PDR) <tatiana.howard@sfgov.org>; Eric Fleming <EFleming@sftc.org>; Rani Singh <Rani.Singh@Sfgov.Org>; Kim, Sujung (PDR) <sujung.kim@sfgov.org>; Jory LaTorre <JLaTorre@sftc.org>; Camacho, Elizabeth (PDR) <elizabeth.camacho@sfgov.org>; Gina Guidi <gguidi@sftc.org>

Cc: Gregoratos, Nick (SHF) <nick.gregoratos@sfgov.org>

Subject: Re: People v. Ying Hop Ng, Court No. 24003587: EM Status

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Your Honor:

I will appear in person on behalf of the People. I will arrive at the Hall of Justice at 8:30 AM and will be ready to discuss the matter in chambers before 9:00 AM and/or on the record at or after 9:00 AM.

Daniel Amador

Sincerely,

Daniel Amador

Pronouns: he/him/his

Managing Attorney

Special Prosecutions Unit

White Collar Crime Division

San Francisco District Attorney's Office

350 Rhode Island St., Ste. 400N, San Francisco, CA 94103

PHONE: (628) 652-4312

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From: Howard, Tatiana (PDR) <tatiana.howard@sfgov.org>

Sent: Tuesday, March 19, 2024 9:04:15 PM

To: Eric Fleming <efleming@sftc.org>; Singh, Rani (SHF) <rani.singh@sfgov.org>; Kim, Sujung (PDR) <sujung.kim@sfgov.org>; Jory LaTorre <JLaTorre@sftc.org>; Camacho, Elizabeth (PDR) <elizabeth.camacho@sfgov.org>; Amador, Daniel (DAT) <daniel.amador@sfgov.org>; Gina Guidi <gguidi@sftc.org>

Cc: Gregoratos, Nick (SHF) <nick.gregoratos@sfgov.org>

Subject: Re: People v. Ying Hop Ng, Court No. 24003587: EM Status

Thank you so much, see everyone tomorrow.

Tatiana Howard

From: Eric Fleming <EFleming@sftc.org>

Date: Tuesday, March 19, 2024 at 8:51 PM

To: Howard, Tatiana (PDR) <tatiana.howard@sfgov.org>, Singh, Rani (SHF) <rani.singh@sfgov.org>, Kim, Sujung (PDR) <sujung.kim@sfgov.org>, Jory LaTorre <JLaTorre@sftc.org>, Camacho, Elizabeth (PDR) <elizabeth.camacho@sfgov.org>, Amador, Daniel (DAT) <daniel.amador@sfgov.org>, Gina Guidi <gguidi@sftc.org>

Cc: Gregoratos, Nick (SHF) <nick.gregoratos@sfgov.org>

Subject: RE: People v. Ying Hop Ng, Court No. 24003587: EM Status

Ms. Howard,

I will have an answer for you tomorrow morning. Thank you for bringing this to the Court's attention.

Judge Fleming

Sent from [Mail](#) for Windows


From: Howard, Tatiana (PDR) <tatiana.howard@sfgov.org>

Sent: Tuesday, March 19, 2024 8:37:31 PM

To: Rani Singh <Rani.Singh@Sfgov.Org>; Kim, Sujung (PDR) <sujung.kim@sfgov.org>; Jory LaTorre <JLaTorre@sftc.org>; Camacho, Elizabeth (PDR) <elizabeth.camacho@sfgov.org>; Eric Fleming <EFleming@sftc.org>; Amador, Daniel (DAT) <daniel.amador@sfgov.org>; Gina Guidi <gguidi@sftc.org>

Cc: Gregoratos, Nick (SHF) <nick.gregoratos@sfgov.org>

Subject: Re: People v. Ying Hop Ng, Court No. 24003587: EM Status

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Again, addressing the Court and Court staff, I would hope that we could add the matter on before the end of the week. Please let me know if that is at all possible.

Have a good evening,

Thank you,

Tatiana

From: Singh, Rani (SHF) <rani.singh@sfgov.org>

Date: Tuesday, March 19, 2024 at 8:27 PM

To: Howard, Tatiana (PDR) <tatiana.howard@sfgov.org>, Kim, Sujung (PDR) <sujung.kim@sfgov.org>, Jory LaTorre <JLaTorre@sftc.org>, Camacho, Elizabeth (PDR) <elizabeth.camacho@sfgov.org>, Eric Fleming <efleming@sftc.org>, Amador, Daniel (DAT) <daniel.amador@sfgov.org>, Gina Guidi <gguidi@sftc.org>

Cc: Gregoratos, Nick (SHF) <nick.gregoratos@sfgov.org>

Subject: Re: People v. Ying Hop Ng, Court No. 24003587: EM Status

Tatiana

I do not think it SFSO's obligation to contact all the parties actually just the court since it was their order and that's what the CP did, as they always do, but apologies if the court or counsel did not contact you until Friday. But as counsel of record I would also think you track your cases closely and would have known from your client or by following up on his release that there was an issue that was brought to the court's attention. Hopefully we can get clarity on this if added to court. Please let me know and I am happy to appear if needed.

Best,

Rani

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From: Howard, Tatiana (PDR) <tatiana.howard@sfgov.org>

Sent: Tuesday, March 19, 2024 5:50 PM

To: Singh, Rani (SHF) <rani.singh@sfgov.org>; Kim, Sujung (PDR) <sujung.kim@sfgov.org>; Jory LaTorre <JLaTorre@sftc.org>; Camacho, Elizabeth (PDR) <elizabeth.camacho@sfgov.org>; Eric Fleming <efleming@sftc.org>; Amador, Daniel (DAT) <daniel.amador@sfgov.org>; Gina Guidi <gguidi@sftc.org>

Cc: Gregoratos, Nick (SHF) <nick.gregoratos@sfgov.org>

Subject: Re: People v. Ying Hop Ng, Court No. 24003587: EM Status

The Court imposed Electronic Monitoring (EM), not Home Detention. It's my understanding that several individuals who are unhoused have been placed on EM, which contradicts the above mentioned sentiments regarding a necessity for a search condition.

In addition, the defense was not made aware of this issue until Friday, March 15, at 5:02PM. A date was requested and provided yesterday, Monday, March 18. That date, and the date of 3/25 are too far considering he should have been released at the latest on 3/13, following the Court's order.

As previously stated, I agree. These are issues that should be discussed on the record and with the Court, who again, ordered him released. I'm simply requesting to do so as soon as possible.

Thank you,

Tatiana

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From: Singh, Rani (SHF) <rani.singh@sfgov.org>

Sent: Tuesday, March 19, 2024 5:22:14 PM

To: Kim, Sujung (PDR) <sujung.kim@sfgov.org>; Jory LaTorre <JLaTorre@sftc.org>; Camacho, Elizabeth (PDR) <elizabeth.camacho@sfgov.org>; Eric Fleming <efleming@sftc.org>; Amador, Daniel (DAT) <daniel.amador@sfgov.org>; Howard, Tatiana (PDR) <tatiana.howard@sfgov.org>; Gina Guidi <gguidi@sftc.org>

Cc: Gregoratos, Nick (SHF) <nick.gregoratos@sfgov.org>

Subject: Re: People v. Ying Hop Ng, Court No. 24003587: EM Status

If EM with a monitor will be affixed the SFSO will have to enter the home correct? I also assume compliance checks will be part of his EM as well based on the history on this case and his unknown whereabouts for a decade. So if that is the case how would we effectuate that without a warrantless search to enter the home or encounter the client for non compliance interaction and possible search. Again, these are questions that ultimately should be discussed and the court has a plethora of options for release that don't include EM. Again happy to work on this issue, but the urgency of this email string was created by delay having to do nothing with the SFSO who put parties on notice immediately.

Best,
Rani Singh

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From: Kim, Sujung (PDR) <sujung.kim@sfgov.org>
Sent: Tuesday, March 19, 2024 5:13:21 PM
To: Singh, Rani (SHF) <rani.singh@sfgov.org>; Jory LaTorre <JLaTorre@sftc.org>; Camacho, Elizabeth (PDR) <elizabeth.camacho@sfgov.org>; Eric Fleming <efleming@sftc.org>; Amador, Daniel (DAT) <daniel.amador@sfgov.org>; Howard, Tatiana (PDR) <tatiana.howard@sfgov.org>; Gina Guidi <gguidi@sftc.org>
Cc: Gregoratos, Nick (SHF) <nick.gregoratos@sfgov.org>
Subject: RE: People v. Ying Hop Ng, Court No. 24003587: EM Status

It is my understanding that home detention was not imposed in this case.

Best regards,

Sujung Kim (she/her)
Managing Attorney | Research Unit
San Francisco Public Defender's Office
555 7th Street | San Francisco, CA 94103
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From: Singh, Rani (SHF)
Sent: Tuesday, March 19, 2024 5:10 PM
To: Jory LaTorre <JLaTorre@sftc.org>; Camacho, Elizabeth (PDR) <elizabeth.camacho@sfgov.org>; Eric Fleming <efleming@sftc.org>; Amador, Daniel (DAT) <daniel.amador@sfgov.org>; Howard, Tatiana (PDR) <tatiana.howard@sfgov.org>; Gina Guidi <gguidi@sftc.org>
Cc: Kim, Sujung (PDR) <sujung.kim@sfgov.org>; Gregoratos, Nick (SHF) <nick.gregoratos@sfgov.org>
Subject: Re: People v. Ying Hop Ng, Court No. 24003587: EM Status

Judge et Al -

At this juncture the SFSO cannot effectuate an HD order without the search condition even if the court determines the search is limited to SFSO only, which is certainly an option. In order to set up the very program

the court has ordered and do compliance checks as a condition if EM the SFSO needs to be able to enter the residence. That in itself necessitates a warrant search clause so that we do not violate participants' rights. I am happy to discuss this but this fact was shared by our community program team directly to the judge on 3/12 at the time the discrepancy was noted. The court had and still has several options. They can OR the defendant, place him on ACM, order HD EM with a SFSO only search or any combination of the above. So the minute order language is not the Issue in this case as described by Ms LaTorre.

I cannot emphasize enough that we will not and cannot enter a home to set up this HD EM program without being able to legally enter the home for set up and compliance checks. I am at a loss for how anyone expects EM to work in this case without that ability for SFSO to legally enter a client's home to effectuate compliance and set up. I am Happy to discuss the program, but we have no standing as to the merits of the case or the court's discretion on OR vs. EM. We are merely telling the court what we already told the court last week and that is what is legally needed to effectuate the order if this cony is to be placed on HD EM. Happy to discuss the EM issue with the group.

As for a claimed violation of the injunction by Ms Camacho who I have not had the opportunity to speak to, I will just say that SFSO will not entertain allegations by the PD on any merit issues for an ongoing federal litigation matter in an email. It is in fact improper and honestly unprofessional that this is even being discussed in an email, but what I will do is make myself available for any questions that court or either counsel may have. I immediately contacted Ms Kim from the PD when she reached out at 3:40 today. I said I was happy to help and be available for any questions, so I was surprised to be cc'd on such a incendiary email by Ms Camacho right after my offer to assist. It's unfortunate to say the least, but the fact that we alerted the court immediately and alerted the DA to notice the PD to problem solve within 24 hours of the discrepancy speaks to our spirit of collaboration on this issue. I was frankly shocked that this is just now being addressed a week later by the parties when we immediately alerted the parties of this discrepancy.

Again, Happy to discuss more.

Best,

Rani Singh

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From: Jory LaTorre <JLaTorre@sftc.org>

Sent: Tuesday, March 19, 2024 4:20:59 PM

To: Camacho, Elizabeth (PDR) <elizabeth.camacho@sfgov.org>; Eric Fleming <efleming@sftc.org>; Amador, Daniel (DAT) <daniel.amador@sfgov.org>; Howard, Tatiana (PDR) <tatiana.howard@sfgov.org>; Gina Guidi <gguidi@sftc.org>

Cc: Singh, Rani (SHF) <rani.singh@sfgov.org>; Kim, Sujung (PDR) <sujung.kim@sfgov.org>; Gregoratos, Nick (SHF) <nick.gregoratos@sfgov.org>

Subject: RE: People v. Ying Hop Ng, Court No. 24003587: EM Status


Hello Counsel,

The minutes will be amended to match the indication that the search condition is not required for this client's release and will be forwarded to the Sheriff's Office.

Thank you!

Jory LaTorre
Deputy Court Clerk III
San Francisco Hall of Justice
850 Bryant Street
San Francisco, CA 94103

From: Camacho, Elizabeth (PDR) <elizabeth.camacho@sfgov.org>
Sent: Tuesday, March 19, 2024 4:10 PM
To: Eric Fleming <EFleming@sftc.org>; Amador, Daniel (DAT) <daniel.amador@sfgov.org>; Howard, Tatiana (PDR) <tatiana.howard@sfgov.org>; Gina Guidi <gguidi@sftc.org>
Cc: Rani Singh <Rani.Singh@Sfgov.Org>; Kim, Sujung (PDR) <sujung.kim@sfgov.org>; Gregoratos, Nick (SHF) <nick.gregoratos@sfgov.org>; Jory LaTorre <JLaTorre@sftc.org>
Subject: FW: People v. Ying Hop Ng, Court No. 24003587: EM Status
Importance: High

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Good afternoon court and counsel,

Mr. Ying Hop Ng was released on EM on 3/12/24. Judge Fleming found that a search condition was not necessary in his case. The Sheriff's department is refusing to release Mr. Ying Hop Ng, because there is no search condition imposed. This is in direct violation of Judge Fleming's order. Additionally, the Sheriff is in direct violation of J. Tigar's 2/13/24 injunction that prohibits the Sheriff "from imposing or enforcing any search condition broader than that stated in each class member's Superior Court order." We are asking to add this matter on to calendar in department 22, tomorrow at 9:00 a.m. We requested to add the matter on to calendar and we were given a day of 3/25/202. That means that Mr. Yip Yung will be in custody for 2 weeks after release was granted. Please add the matter on calendar tomorrow so that we can address the issue.

Thank you,

Elizabeth Camacho

From: Howard, Tatiana (PDR) <tatiana.howard@sfgov.org>
Sent: Tuesday, March 19, 2024 1:16 PM
To: Kim, Sujung (PDR) <sujung.kim@sfgov.org>; PDR-Research <PDR-Research@sfgov.org>
Cc: Camacho, Elizabeth (PDR) <elizabeth.camacho@sfgov.org>; Singh, Rani (SHF) <rani.singh@sfgov.org>; Gregoratos, Nick (SHF) <nick.gregoratos@sfgov.org>
Subject: FW: People v. Ying Hop Ng, Court No. 24003587: EM Status

Good afternoon,

Judge Flemming reviewed the facts of this case and determined, explicitly, that there should not be a search condition in this matter. I was able to get the matter back on calendar for 3/25 where I will be requesting and order to show cause as to why he has not be released, as ordered by the judge.

Thank you,

Tatiana

Tatiana Howard
Deputy Public Defender
San Francisco Public Defender's Office
555 7th Street
San Francisco, CA 94103
Main: (415) 553-1671
Dir: (415) 553-7963
Fax: (415) 553-9810

From: Amador, Daniel (DAT) <daniel.amador@sfgov.org>
Sent: Friday, March 15, 2024 5:03 PM
To: Howard, Tatiana (PDR) <tatiana.howard@sfgov.org>
Subject: People v. Ying Hop Ng, Court No. 24003587: EM Status

Ms. Howard:

I recently was informed by the S.F Sheriff's Department that your client, Mr. Ying Hop Ng, is still in custody. According to the Sheriff's Department, he is still in custody because, in these circumstances, the Sheriff's Department cannot get him set up on electronic monitoring and do necessary compliance checks without a warrantless search condition. Judge Fleming did not include a warrantless search condition in his order for release on electronic monitoring.

To address this issue, you may wish to add the case to the Department 22 calendar next week. If you do, please let me know on which day the case is added. Right now, I should be able to appear any day next week. I hear that Judge Kahn, rather than Judge Fleming, will be covering D22 Monday through Thursday.

If you would like to talk on the phone to discuss further, please let me know.

Sincerely,

Daniel Amador

Pronouns: he/him/his

Managing Attorney

Special Prosecutions Unit

White Collar Crime Division

San Francisco District Attorney's Office

350 Rhode Island St., Ste. 400N, San Francisco, CA 94103

PHONE: (628) 652-4312

daniel.amador@sfgov.org